

OCCASIONAL THOUGHTS

Concerning Our

Present Divisions,

And Their

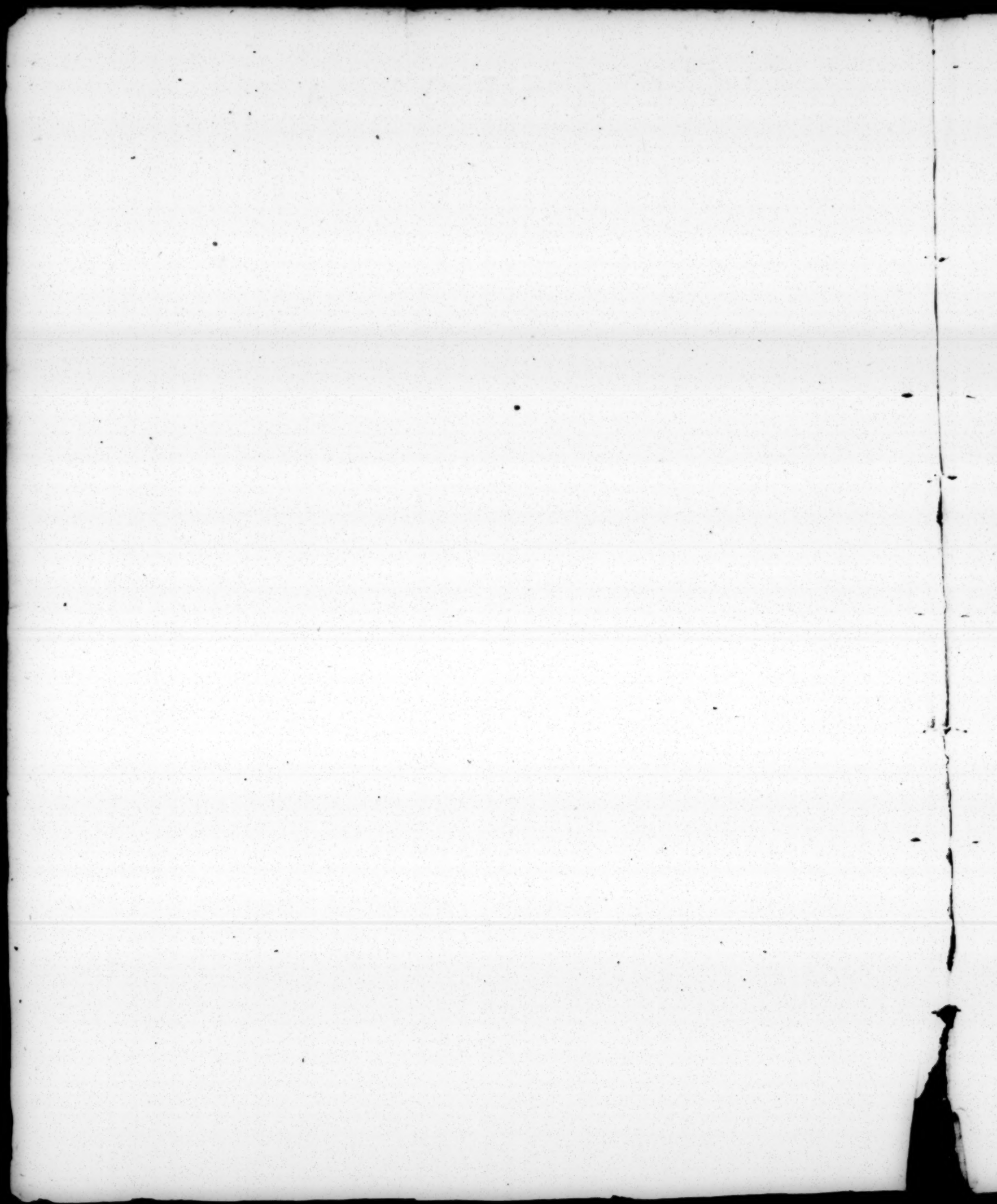
REMEDIES.



19.

L O N D O N :

Printed for John Nutt, near Stationers Hall, 1704.



PREFACE.

Reader,

THE Multitude of Pamphlets that swarmed about the Streets, and covered the Tables of most Coffee-Houses; the frequent Disputes that were warmly managed by Persons of differing Sentiments, concerning the late Bill against Occasional Conformity, were Powerful Motives to a Lover of his Country, to enter into an Enquiry of the Nature of a Subject, that had been so Prolifick in Arguments. But the Author did not think it became a Private Person to interpose his Thoughts, whilst that Matter was under the Consideration of the Legislature: But since it is removed from before that Authority, he hopes it cannot be esteemed a Crime, to look into the Nature of Laws, that principally seem to regard but one Part of the Community, (in that they are to exclude another Part out of the Civil Power.) It is true, the Good of the Whole may be said to be comprised in such Laws, when they are experienced to unite our Divisions, or preserve our Peace. But he humbly presumes, it is somewhat difficult to form a Right Judgment of that, unless we first take a short View

P R E F A C E.

of the Nature of our Constitution, and impartially remark the Effects of such former Laws, whether our Disorders have really been removed, or our Repose secured by them. And since the Knowledge of the Disease, should precede the Application of Remedies; he hath therefore attempted to give a brief, but impartial Narrative of the Grounds of our present Divisions; how they were planted, cherished, and continued; and how sometimes removed, or for a time cured: By which it will appear, they are not derived from Religious Differences, but from Civil Reasons; and that such former Laws have neither healed our Discords, nor preserved the National Church in any one settled and unaltered State.

Occasional

Occasional Thoughts concerning our PRESENT
DIVISIONS, *and their* REMEDIES.

IF a Temperate Clime, a Fruitful Soil, and a Situation that gives Defence against Forein Invasion, are the Native Blessings of a Country ; if Wholsome Laws, and a most Excellent Constitution are valuable to Men ; then are the Inhabitants of *Britain* as much indebted to Nature for the first, and to a special Providence for the last as most of the Nations upon the Earth. For their Air by a variety of Seasons becomes Pleasant, and by a happiness in its Temper Healthful ; their Soil abounds in verdant Pastures, which are delightfully enammel'd with *Flora's* Beauties, and richly stored with Woolly Flocks and Milky Herds ; their Fields are burthen'd with *Ceres* Plenty ; their Trees loaded with *Pomona's* Dainties ; their Crystal Streams are filled with Finny Inhabitants, and their Woods and Airy Regions with the Feather'd ones : the Excellency of their Constitution gives Encouragement to Industry, and the Goodness of their Laws secures what their Labours have obtained. By this means the Native Products of their Country are improved by useful Manufactures, and adorned with artificial Beauties ; which by plowing the Ocean with their Fleets, they transport to the remotest parts of the Globe ; and in return bring back the costly Silks and fragrant Spices of the East, and the Silver and Golden Ore of the West. And yet notwithstanding these their Felicities, the Spirit of Pride, Revenge, and a Thirst after Dominion have so far corrupted their Minds, as to endanger their Repose : for by these, Divisions have been usher'd in, and Religious Differences fomented, Factions formed, and Names of Distinctions and Reproach invented.

Queen *Elizabeth*, after a long and happy Reign, Dying, left her People united in Mind and Interest ; for that good Princess, having no separate Designs of her own, different and distinct from her Subjects, was always disposed to consult them in Parliament ; and they being let into her Councils, readily gave such Supplies as the Publick Necessities required : But her Successor King *James*, immediately departed from her Measures ; for he having formed some Designs, which were not thought proper to be communicated to a

*Beginning
of our pre-
sent Divi-
sions.*

Parliament, in that they were not agreeable to the Genius of the Nation, did not so often consult them ; for He not only enters into a Friendship with *Spain*, but pursues a more stricter Alliance, and makes some Concessions to the Papacy ; endeavours to lessen the religious Differences between Papists and Protestants, pursues an Union with *Scotland*, and fills his Court with his own Countrymen : By the means of these and some other of this Prince's Proceedings, his Parliaments when call'd, would not so readily grant Supplies, as his wants required : And a Coldness soon arose between Prince and People ; for the People not let into their Prince's Counsels, nor indeed liking his Measures, would not assist him with their Purse ; and the Prince not obtaining his Desires, by Parliament, became not delighted with those Assemblies. To support himself in these Difficulties, this King began to form a Party amongst his own Subjects, by countenancing and preferring such Persons, as were, in their Religion, for such healing Doctrines ; and in Politics, for enlarging his Royal Authority : And he so craftily intermixes these two different things, that they really appeared the same.

*Constitu-
tions be-
fitted for
Divisions.*

If we take but a short Survey of the Nature of our Government, we may soon perceive it is not difficult for the Prince, whensoever he is disposed, to raise such a party ; for all Honours, Offices, Places, Dignities and Preferments, being at his disposal, he is enabled by such helps, to gain a number to his side ; for such that are thus preferred by his Favour, will be his Creatures, and so ready to submit to what he requires, in order to enlarge his own Authority : Whereas, others of Honours and Estates, who have no dependance upon the Throne, will be more solicitous to preserve their own Rights, than to increase his Prerogative ; and by this means, Differences and Disputes will arise, which will gradually divide the People.

The Party formed by King *James*, was cherished by his Son and Successor, and National Differences in his time, increased to such a height, as ended in a Civil War : By this War, the Sovereign Authority was for a time extinguished ; the Enemies and Opposers of the Prince, having gotten the Power of the Kingdom into their own Hands, severely treated all those who had adhered to the Royal Cause : But the many Changes and great Confusions that attended those Governments,* that were set up after the Ruin of King *Charles* the First, to the Restauration of his Son, produced a universal Dislike of so unsettled State.

*The reasons
of the Nar-*

In the Person of *Charles* the Second, the Sovereign Authority was again restored, and with that the Royal and late Oppressed Party ;
who

who being admitted into the Magistracy, endeavour to fence the ^{rowing} Crown, enlarge Sovereignty, and secure themselves in Authority. * And for this purpose, Laws are enacted to ^{Laws, to} exclude all ^{exclude} Persons out of that part of the Legislature, that is composed of the ^{Protestant} Representatives of the People; for the other parts of that Authority, required no such Regulations; in that the ^{Dissenters.} Peers had mostly adhered to the Royal Party, and had suffered, during the Usur- ^{* Vid. Cor-} pation; and as for the Prince, these Laws were made in his Fa- ^{porations} ^{and Test} ^{Act.} vour. And here I think, was the beginning of

our Narrowing Laws, to exclude Persons out of the Civil Power, whose Principles rendred them not unfit to be intrusted in it. It is true, the Practices of those People, that were lately in Authority, in entering into Covenants and Engagements, that were inconsistent with the New restored Government; did plainly require some Test to exclude them. But then making this a general and perpetual Test, was to involve the

Innocent, in the Punishment of the Guilty. It is also true, the Persons who dissented from the Established Church, united with those tumultuous and short lived Governments, because they had the Favour and Protection of them; and in that, seem to have done no more then what has been practised by other Christians, viz. to love and like the Persons or Governments, that cherish and support them. But these Laws not being thought afterwards sufficient for the intended purpose, in that the Dissenting Party was numerous, and not easily to be worn out; Penal Laws, were therefore made, ei- to oblige them to conform to the Established Church, or to weaken them from a Prosecution.

But notwithstanding, all this Craft and Care to preserve the Le- ^{The Ineffi-} gislature, in the Hands, only of such Persons as were for the Estab- ^{cacy of} lished Church, which at that Time, was thought to imply the De- ^{New Laws.} fence of the Monarchy, if not, the enlarging the Sovereign Authority; yet all these Measures, in the space of a few years, had no manner of Effect; for neither were the Dissenters lessened, by their Conformity to the National Church; nor were they undone by a Prosecution from the Laws: Neither would That, or any other succeeding Parliaments, complement the Prince, in making new Laws, to enlarge his Prerogatives: Neither would they approve his Foreign Proceedings, that seem to have been calculated for the same Purposes; but rather upon all occasions, seem'd inclined to favour Dissenters, and keep Prerogative in just Bounds; and therefore dis-

For our Differences with the most Numerous of Dissenters, are only concerning some Niceties in Doctrine, Church Discipline, and Modes of Worship. Whereas, Papists by owing Obedience to a foreign Power, are not entire Subjects; and the Principles of Quakers, Fifth-Monarchy, Anabaptists render them unfit to be intrusted, in Civil Power.

disprove King Charles's Friendship with *France*, and Address to him to Unite with *Holland*.

Laws cannot destroy Effects that arise from the very Nature of Kings, unless the Cause is removed.

The Unsuccessfulness of these Measures, methinks, prove a Truth that I suppose is not often observed, *viz.* That altho' the Legislature may make what Laws it pleases, yet no Humane Law can destroy (altho' it may, for a short time, restrain, or hinder) an Effect that flows from the very Nature of Things, unless the Cause it self is first removed : For in this very Instance, notwithstanding these New Laws, were so calculated, as to seclude such Persons out of the Legislature, whose Circumstances inclined them to be no Friends to such Proceedings: yet the Constitution not being altered by these Laws, they naturally in time vanished, in that the Circumstances of Prince and People, that were the Motives to these Laws, afterwards changed : For the very Members of that Parliament, that enacted these Statutes, were afterwards so far from closing with the Prince, in carrying on his further Designs of enlarging his own

As may be seen by the Proceedings of that Parliament, before its Dissolution ; as likewise by the succeeding Ones, called in that Reign.

Authority, which he principally aimed at, that they became jealous of his Measures, and appeared upon all occasions, inclined to shew Compassion to Dissenters, as being a Party that could not be in the Interest of the Prince, in that they had suffered by a Prosecution from those Laws that were procured by him, and those that were in a special manner in his Interest. And it is abundantly known, with what Difficulties the Court laboured under, to keep the Eighteen Years Parliament in any Moderate Temper : For notwithstanding, the Members of that House, in the beginning of King Charles the Second's Reign, were violent Assertors of Monarchical Power, (the more perhaps, in that they had suffered in the late Times by Popular Fury) yet they began, after some Years, to be more Moderate in their Opinions: For when once they were convinced by that Prince's Measures, (which were at first countenanced by their own Laws) that he would grasp all Authority into his own Hands, and so make Parliaments themselves useless ; they became as zealous Opposers of his Proceedings, as those very Persons whom they had subjected to these Laws : For, altho' their Zeal for Church and Crown did so far work upon them, as to consent to such Laws, as would punish the Persons or Estates of such Men as differed in Opinion from themselves ; yet they never intended to be included in the same Sufferings ; nor to deprive themselves of Authority : For which Reason, when King Charles's Designs were too obvious to be concealed, the Parliament appeared inclined to reverse their former Acts.

Kings

King *Charles's* Desires of increasing Sovereignty, induced him after some time, to confer Honours, Offices and Trusts, upon such Persons, whose Principles or Practices befitted them to serve him in such Purposes; by which his Measures, Divisions were revived, and Differences fomented, and Men became rank'd into Parties, which were politically distinguish'd into Court, and Country; but Religiously into Church, and Fanatick: And these continued until the Discovery of the Popish Plot, (which, as the Evidence deposed, was designed for the Destruction of both Church, and Fanaticks, or Dissenters) and this for a time, did unite them, in that both were equally concerned in the Danger. But the Danger from that Plot removed, or overcome, or at least, the Nature of it changed, Jealousies and Misunderstandings arise between the Two Parties, and they again divide; and then, like Two reconciled Enemies that fall into a Second Quarrel, became the more envenomed; reproaching and branding each other with Names of Ignominy and Reproach, such as *Whig* and *Tory*: Which Differences continued the remaining part of that King's Reign. And yet, notwithstanding the Rancour and Hatred that was between the Two Parties, and King *Charles* uniting with one of them, in order to oppress the other, yet the Constitution was not altered: It is true, What by the Discovery of real, or pretended Plots, against Himself, the Church, and Government, he branded the *Whigs* with so many Villanies, that even such Persons that but wished well to the Constitution, were ashamed, or afraid, to speak in their behalf: And his Revenue being then so manag'd, that his Necessities did not oblige him to have recourse to a Parliament, the Oppressed Party had no opportunity of Redress; and continuing the Magistracy entirely in such Persons, whose present Interest it was to favour his Designs; He kept the People from any Violence, during the greatest Storm that was ever peaceably weathered in *England*; but yet, could not root out that Refractory Party he had thus oppressed; in that, Men of Estates and Interest, that had no immediate Dependence upon the Throne, would never be brought to approve Proceedings that must strip themselves of their Legal and Civil Rights.

King *Charles* dying, his Brother succeeded, who having declared himself of the *Romish* Religion; and permitting the Publick Celebration of that Worship, gave such a Terror to the Sons of the Established Church, that they cooled in their Boasted Loyalty towards the Throne, and became as violent Opposers of the Illegal Proceedings of that Unfortunate Prince, as those whom they had formerly reproached for Rebels: And both Parties being terrified with the Apprehensions of Popery, unite to withstand the Common Danger,

*Divisions
fomented.*

*Removed
for a time,
but soon di-
vide again.*

*Divisions
healed.*

Danger, which equally threatned both: It is true, after the Sons of the Church turned upon that Prince, he made some steps for joining with the Dissenters; but his Proceedings were too violent to be embraced, for the Dissenters were more alarmed than pleased by his Concessions, and join with the Church in withstanding their Prince; who, being forsaken by his Subjects, withdraws out of the Kingdom and leaves the Throne vacant.

*Divisions
not encour-
aged.*

The Prince of Orange declared King, departs from those Measures of Governing by a Party, which had been practised in the last Reigns, for He confers Honours, and gives Places promiscuously to both Parties. And in that, it had been the Practice of the last Reigns, to advance only such Persons to Ecclesiastical Dignities, that were for propagating such Doctrines, as were for the enlarging Kingly Authority, and Church-mens Power, by which Divisions had been fomented. This just Prince, prefers such Persons to Ecclesiastical Dignities, that had more regard to the Doctrines and Duties, our Saviour or his Apostles taught; than to such new fangled Tenets, that were unknown to former Ages, and that being of Humane Invention, serve only as *Shiboleths* to distinguish Parties: And the Prelates raised by this King's Favour, have appeared moderate in the Exercise of their Authority, and well disposed, to receive more Christians into the Communion of the Church, by being inclined to permit some Ceremonies, that are in their Nature indifferent, to be likewise in their Uses so.

*Viz. Di-
vine Right
of Kings.
Passive
Obedience,
and Non-
resistance,
in regard
of that Au-
thority.*

*Viz. The
Bill of
Comprehen-
sions offer-
red and the
conditions
proposed.*

By these Wise and Christian Measures, that virtuous Prince poured Balm, into those Wounds of Discord, that had continued Four Reigns, undressed and unsearched. But as old Ulcers in a Body Natural, are not easily healed, so rancorous Divisions in a Body Politick, are not suddenly united: For as corrupt Humours will gradually be generated by a luxurious and sedentary Life in the first, which will often discharge themselves, by the weakned and depraved part; so Pride and Wealth, will produce Hatred and Revenge in the last, which being moulded into Factions, will break out by such Discords.

*Reasons of
discontents*

And thus it happened, maugre all the Prudence of that Prince, for immense Sums, being required to continue a tedious and expensive War: and the People not being used, before this War, to part with much Money by Taxes, (notwithstanding their Deliverance) grew uneasie, multiplied in Complaints, and began to listen to the malicious Insinuations, of such who were Enemies to their Peace; who did instil a Thousand Jealousies into their believing Ears. It is true, such were the fatal Circumstances of those Times, that the King could not so strictly enquire into the Management of the Pub-
lick

lick Revenues, as perhaps the Nation's Complaints, his own Judgment or Inclination might require: For the stupendious Expence of the War, sometimes requiring such Sums, as could not readily be raised, in that, the Credit of the Treasury, was somewhat low, (by whose Faults or Neglects, is not under the present Enquiry,) obliged that Prince, to have recourse to such Persons, who had Interest enough by themselves, or Friends to supply it. And these being intrusted with the Management of the Revenues, had Opportunities to raise immoderate Fortunes to themselves, and to make Dependencies and Friends, in the very House of Commons itself; by which means, notwithstanding Laws were formed, and Commissioners appointed for receiving Publick Accounts; yet such had not the desired Effect. The Taxes occasioned an Uneasiness to the People, which was farther increased, by their observing Men of moderate Fortunes, to grow immoderately Rich, at a time when the Country groaned under the burthen of heavy Taxations; this obliged the King to consent to an Immature Peace and afterwards to enter into a Treaty, to prevent a new War. The Misfortunes to *Europe*, that followed the Death of the King of *Spain*, disposed the following Parliament to disprove that Treaty, and to enquire who were the Advisers of it, and to Impeach some who were supposed to be consulted in it. This nearly touch'd the King, who is supposed to have managed that mostly by his own Judgment. However, these Impeachments, occasioned some Clashings between the Two Houses, and began some Differences amongst the People, which so increased, as to make a sort of State-Faction, to which the different Sects of Religion joined: and Mens Minds were so warmed, that each Party reproached the other; the one with the Hopes of a *French* Power, Popery, and Persecution; the other with Bribery, Presbytery, and a Common-wealth. However, these Proceedings, produced a Change in the Ministry, but the new one, not suiting the Inclination of the Prince, did not continue long: The Parliament dissolved, the new Elections seemed to favour those who were not esteemed Favourites of such, who had been in the Administration. Yet, that Wise Prince, so tempered the Minds of that Assembly, that they not only gave him Supplies, although in a Time of Peace; but Addressed to him, to enter into such Treaties, as might be for the safety of *Europe*.

But the better to comprehend what is intended in this Discourse, we must look a little back and take notice, how that after *England's* Hopes, the Beloved *Gloucester*, died, King *William* earnestly recommends, to the succeeding Parliament, a farther Care of the Succession; for the former Act look'd no further than the Issue of Queen *Mary*,

Succession farther ascertained.

Mary, the Princess of *Denmark*, and his then Majesty : and this young Prince, the only remaining Branch, being lopt off in his budding Infancy, the King recommends it as a Point of the greatest Importance, that the Succession may be further established in the Protestant Line, in case the Princess of *Denmark* or himself should fail of Issue. What moved the King to this Proceeding of having a remote Successor declared, when there was an immediate, viz. the Princess of *Denmark*, living ; might perhaps, in relation to Foreign Affairs, be his thoughts of an approaching War ; and the Right of Succession being declared in the House of *Hanover*, might, in all probability, rivet that House to the *English* Interest. But what chiefly moved him, in respect to the *English* Nation, is a Point too tender at this time to be touch'd ; waving therefore any Guesses of his Domestick Reasons, I will only observe the different Methods that were pursued by two Princes, viz. Queen *Elizabeth* and King *William*, in relation to the Succession, that seem to have agreed in most other Points of Government : for Queen *Elizabeth* thought it not consistent with her Safety to have a Successor, in her Life, declared ; whereas King *William* thought it not consistent with his Duty to have his People left without a remote one appointed (for there was an immediate one already declared) ; so much the Circumstances of Times and People alter the Measures of the best of Princes.

Laws de-
pend upon
Circum-
stances.

But to return, another Parliament called, and mighty Preparations made for an approaching War, the Great Hero dies, and the Princess of *Denmark* is immediately proclaimed Queen. This Princess with the Prince her Husband, during the last part of the late Reign, like two Turtles, happy only in each others Company, had delighted themselves with a sort of Retirement, their Court not being so crouded by those in Authority, as their High Births, Personal Virtues, and immediate Relation to the Crown might seem to require ; from whence it is not improbable, some Coolness might arise between *Whitehall* and *St. James's*. However this pious Princess, upon her Accession to the Throne, declares her firm Resolutions of Defending and Protecting her People, in the full Enjoyment of all their Civil and Religious Rights, and of her particular Regard to the *Church of England*, in whose Communion she had been bred ; and then, as a mark of her Royal Gratitude to those who had served her, she rewards them with Trusts and Honours ; and these being zealous Members of the Established Church, the Administration devolved, in great measure, into such hands. And her Majesty being, with several other Princes and States, engaged in a War for the Defence of *Europe*, it had pleased the Almighty to be very propitious

to

to her Arms, by blessing them with a Success that even exceeded our Hopes. A New Parliament called, the Elections seemed to favour such Persons who were esteemed to be of what was called the Church Party, and this Parliament ~~the~~ congratulate the Happy Success of Her Majesties Arms, and return Publick Thanks to the Commanders of Her Fleets and Armies, for their Great and Signal Services; and in this Session, turn their Thoughts to find Methods, to perpetuate the Government in the Hands of the Members of the Established Church, who had been blessed with so Auspicious and Happy a Beginning: For our Arms were not only Successful, but the Credit of our Treasury was so recovered, that Money was advanced to the Publick at lower Interest, than it was usually borrowed by Private Hands.

The appointing Persons to be employed in all Offices, Places and Trusts, is a Right annexed to the Crown of *England*; and altho' ^{Places at the disposal of the Crown.} the Crown hath never departed from that Right, yet our Princes have consented to such Laws, that ordain Religious Qualifications to be performed by Persons, before they shall be capable of such Employments. This Parliament therefore thought it reasonable to bring in a Bill against *Occasional Conformity*, (for there were ^{Occasional Bill.} Laws already, that secluded such Persons that would not conform) that no Person should have any Office, or Trust, that should frequent Separate Congregations, after once, by taking a Place, he had owned himself of the Communion of the Church of *England*, by solemnly performing the Conditions of Worship, that the Law already required. But this Bill did not only extend to such Places or Trusts, that were at the disposal of the Prince, but to others that were at the Election or Nomination of the Subject, *viz.* those in Corporations, and several of the Members of the House of Commons being chose by these Bodies, this Bill was looked upon as an Expedient, to keep that Part of the Legislature in the Hands of such as were entirely in the Interest of the Established Church. But the Bill dropping that Session, and the Arms of the Allies not being so prosperous the last Campaign, and of consequence, not that Life and Hopes upon the Minds of Men, of a speedy Issue of an expensive War; Her Majesty, at the opening of this Parliament, was graciously pleased to recommend the avoiding of all Heats and Animosities, that Supplies might be the more chearfully given, and the Hopes of her Enemies be disappointed.

The Bill being brought in, the Streets swarmed with Pamphlets; and in truth, should a Man judge of the Importance of a Bill from ^{Second Occasional Bill.} the Number of Champions, and not by the Weight of their Arguments, that appeared in its Cause, he must conclude this against

Occasional-Conformity, to be one of the first Figure. Whereas, if it be thoroughly considered in its full Circumstances, it will be found to be so, far from a Star of the first Magnitude, that it will rather appear, like one of those *Minute* ones, that constitute the Galaxy, whose Influence, and even Existence, would at a small distance, be swallowed up, and lost. For the Party to be excluded by this Bill, being Numerous and Wealthy, a Change, whether in the Inclinations of the Prince, the Circumstances of the Kingdom, either in relation to Domestic or Foreign Affairs, would naturally bring a Non-Execution, or Disuse, if not, an entire Abrogating such a Law ; as we may remember, happened in the Time of King *Charles* the Second, by the Penal-Laws ; that Prince, first Suspending them himself, and afterwards the People desiring the same ; by which means, altho' they were not repealed, yet the Severity of their Execution ceased.

*The Reason
and Effect
of the Bill.*

This Bill, intending the Seclusion of the Dissenters out of the Civil Power ; the plain Question is, had it passed, whether it would have had the designed Effect ; or if it had, whether the Established Church had been further secured, or our Divisions healed. To judge rightly of these, we must consider Dissenters under Two Heads, *viz.* either such as believe it unlawful to join in our Worship, or such as do not ; the first of these, the Law hath already excluded, and what should hinder the latter from Occasional-Conforming, to keep their Places, who did it to get them ; for they may absent, or may join in separate Worship, with such a Number, as the Law does not make a Conventicle ; and as for such as could play the Hypocrite to get a Place, they will in all Probability, continue to keep one. And then a Humane Law, does not alter Mens Principles, altho' it may restrain their Practices ; and those remaining, the same Disposition, as to Matter o Government will, which will be exerted, when Opportunities favour ; but waving this, it is certain, Laws are only the declared Will of the Legislature, and therefore Alter and Change, as that Authority pleases ; what Composes with us the Legislature, is the Queen, and Two Houses of Parliament : The House of Peers, is Composed of the same Persons, unless removed by Death or Absence ; but the House of Commons, being chose by the People, the Members are often changed : what chiefly inclines the Electors, in the preference of the Persons to represent them, is the Opinion they have, of the good Dispositions of such Persons, to serve them and their Country, by Voting and Speaking for theirs and the Nations Good : This their good Opinion of Men, will arise in different Persons, from very different Reasons, in some in that They, by themselves or Friends, receive
some

some Advantages or Favours, or have some dependance in Point of Interest, upon them whom they Elect. But the most Popular Reason, and so of greatest use in the Countries, Cities, and Great Boroughs, where the Right of Election is in the Populace, is an Opinion that the Persons Elected, will endeavour the Security of the Religion they Profess, and the Properties they Enjoy : and for this Reason, Men that differ in Religion and Interest, so often disagree about the Persons they would Elect.

Bribery and Indirect Dealings, may corrupt Electors, yet that cannot extend further than Corporations, or small Boroughs, for a Multitude is not to be Bribed.

The Executive part of the Law, is entirely vested in the Crown, *Parliament* as also the Power of Convening the other two Parts of the Legislature, *viz.* Lords and Commons: The Prince being the Life and Soul that Actuates this Body Publick, all the Good, all Ill, Blessings or Misfortunes, that attend the State, are mostly imputed to the Wisdom or Goodness, Folly or Ill Conduct of him, or at least to those that are employed by him. When therefore our Fleets and Armies are Successful, and our Exchequer in Credit, and the Prince manifests a Zeal in the pursuit of his Peoples Good, without any Allay of separate Designs, to aggrandize his own Power ; and therefore Consults them, and is ready to be advised by them, in such Things as relate to the Publick : The People in their Elections, will Favour such Persons as are well disposed to comply with the Prince, in carrying on his just Designs, in that they believe them to be the same as their own. If then, such Elections happen when the People are divided ; that Party the Prince Favours, will most usually carry the Elections. But if on the contrary, the Prince is mistrusted by the People, and is not inclined to Consult them, or be Advised by them, the Elections will Favour such Persons, who are thought will oppose him. All this is abundantly confirmed, by but observing the difference between the Proceedings of the Parliaments, in Queen *Elizabeths* Time, and those in King *James*, her Successor, and King *Charles* the First ; as likewise, between those immediately upon the Restauration of *Charles* the Second, and those in the latter part of that Prince's Reign ; the same may be said of that of King *James*, and those of King *William*, and our present Gracious Sovereign. And if the Prince stands fair with the Commons, the House of Peers, cannot in all likely-hood long oppose him ; in that the Purse is in the Hands of the Commons, and the People will most assuredly follow their Representatives, when their Representatives are in the Interest of a Prince, whom they Love and Like. Besides, the Bishops are made by the Prince, and he hath likewise a Power of Increasing the Number of Peers, as he pleases ; add to this

this the great Dependance that several Members of that House have upon the Throne, and then it cannot reasonably be imagined, that the House of Peers, should support itself against the united Strength of Prince and People. If then a Prince, that is in such Circumstances with his People, should be inclined to admit such Persons, that these Laws exclude, into the Government, the People would most undoubtedly chuse such that were inclined to perform this ; neither would there be any Difficulties by these Laws, whereby to prevent it, since these Laws only ordain such a Test, as every Person that is but of the Communion of the Church of *England*, may without any Violation of Conscience perform ; and there have been but few, if any Members of that Assembly, since the Restauration, but what have Communicated with the Church of *England*, and really performed such Terms of Communion, as Entitle them to be called Sons of that Church ; and yet the greatest number of Parliaments, that have been since that Time, have been far enough from countenancing such a Law : Besides, the Number of Electors, that were to have been regulated by this Law, cannot amount to any great part of the House ; for I think, it did not extend further, than the Members of Corporations.

Thus far I have Argued, from the Reason of the Thing, as grounded upon the very Nature of our Constitution, to prove the Insufficiency of such Laws, whensoever the Prince and People are otherwise disposed, to secure the present Established Church, in the Possession of the Civil Power ; and thereby to perpetuate her in the same State, she now is in, by Excluding such Persons, who are not of her Communion, out of the Civil Government.

I shall now descend to confirm this by Fact, by shewing that such Laws have never been of any long Effect, for that purpose ; but that Ecclesiastical as well as Civil Constitutions, have altered according to the Genius of Prince and People, or according to the Circumstances of Times and Government, in this our *Britain*, notwithstanding Laws to the contrary.

*Rights of
the Church
secured by
Laws and
yet altered.*

It is easie to observe, how from the Time that the Civil Power Favoured Christianity, Honours, Dignities, Estates and Preferments began to be annexed, either as Maintenance or Rewards, to such as Laboured in the Ministry ; and how Ecclesiastical Persons, possessed of Estates, began gradually to have a part in our Civil Government : Their Temporal Power increasing as their Estates did, which in time, arrived to such a Greatness, as to be more than one Third part of the whole Kingdom. From this Reason, our Laws have made an Equal, if not a Greater Provision, for the Preservation of the Rights of Holy Church, than for those of the Temporal Subject :

ject: And these Rights continued thus secured, (altho' with some small Interruptions) until the Reign of *Henry VIII.* for the Princes before his Time, had too many Difficulties with their Barons, to be in a Condition to attempt the Violating of the Rights of Holy Church. But the Power of the Baronage being broke, King *Henry* listned to the Complaints of the Commons, for the Lessening the Authority of the Ecclesiasticks; the Papacy delaying to do Justice, in a Suit of Divorce, (which had not been usually denied to Princes) moved that high-spirited King to revenge the Affront, by Seizing the Revenues, and Lessening the Authority of that See; and to break through those Laws, that had made the Rights of the Church Inviolable. *Edward* the Sixth perfected what his Father had began; for he not only stripped the Church of her remaining Revenues, (notwithstanding Oaths and Laws, that were for her Security) but altered her very Doctrine and Worship: And the better to perpetuate the Church he had established, fences her likewise with Laws, and puts the Civil Government entirely into the Hands of her Sons. And yet notwithstanding all this Precaution, his Sister, and immediate Successor Queen *Mary*, overturns his well-built Fabrick, and re-establishes the Church he had ruined: And she again endeavours to perpetuate the Church she had restored, by guarding it by Laws, and delivering the Civil Power into the Hands of such Persons as were for its Preservation. Yet this Church was not built upon a Rock; for her Sister Queen *Elizabeth* soon tumbled it down, and re-estates that Church her Sister *Mary* had ruined, which continued in a flourishing State, during her long Reign. It is true, some small Differences concerning Ceremonies arose, but these did not disturb her Peace. For that Wise Princess excluding none of her Subjects out of the Civil Authority, but such whose Religious Principles did not permit them to be her entire Subjects; her own, or the Kingdom's Peace, was not disturbed by such Religious Disputes.

The Terms of Communion of this Church began after her Decease, to be somewhat narrowed, and its Jurisdiction enlarged; but this not by Virtue of any Direct Law, but by the Sovereign Authority: For Ecclesiastical Jurisdiction being by the late Laws founded in the Crown, and Dignities and Preferments at the Royal Disposal, it was no difficult matter for the Prince by his own Authority, to make Ecclesiastical Regulations; and K. *James* endeavouring to form a Party, in order to bring about some Designs which he had chalked out, (which his Parliaments would not favour) was soon convinced, the only Method to effect this, was by the Assistance of the Church, because that was entirely dependant upon the Crown:

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And

And he seems for this Reason to have began those Measures, that were so unfortunately pursued by his Son; for they ended in the Ruine not only of the Church, but of the Royal Authority; and other Churches were established, by the then Usurped Power.

*Church
restored.*

With *Charles* the Second, the Subverted Church is Restored, and is again, according to Former Methods, guarded by Laws, and her Sons only to be admitted into the Administration and Legislature. Those, that had been Enemies to Her and the Royal Authority, being excluded both. And after some time, Laws are enacted, by which, Men are obliged to Conform to Her Worship, or to Suffer for their Obstinacy: And now she is thought so securely fortified, that the Powers of Hell should not prevail; and yet the next Successor did again endanger her, for he dispossessed her Children of their Revenues, turned her Sons out of Ecclesiastical Authority; and by a High Commission suspended them for performing their Duties. And this, notwithstanding Laws, and Oaths to the contrary. But that Prince excluded the Throne, she is again restored; but some of her Sons not performing what the Civil Power enjoined, were stripped of their Bishopricks, (which gave some Complaints) and their vacant Sees were filled such Persons as were more disposed, (according to the Prince's Inclinations, and as then thought the Nation's Interest) to admit more of Christians into her Communion.

*Different
Fate of the
Occasio-
nal Bill-*

Thus far have I argued from the Nature of our Constitution; and supported this by undeniable Fact, 'That no Law, or Humane Provisions have perpetuated a Church; but that its Doctrines and Disciplines have been altered, its Authorities and Revenues either lessened or enlarged, according to the Inclination of the Prince, Genius of the People, or Circumstances of Times and Government. Notwithstanding Laws have been made, and Oaths invented, for the preserving it in one and the same settled State. And methinks, if we take but a View of the Rise and Fate of the late *Occasional Bill*, we may even from that be further confirmed in it. For the Successes in the Year preceding the Session, when it was first brought in, had given a Liking to those Persons then in Authority; and that Bill being thought to be approved by those in Power, there did not appear any General Dislike of it; the very House of Lords being willing to Pass it, with some Amendments. Whereas our Affairs being not so Prosperous the last, gave a greater Deadness in People to that Law; and the Commons were willing to pass it, with most of the Conditions they rejected in the former Session: And the Lords now reject it, altho' qualified with the most Material Amendments they offered: So much the Making
such

such Laws, depend upon the Circumstances of Times and People.

So far being premised, of the Nature, and Motive to such a Law, I shall now proceed to shew the Mischiefs, or Advantages, that must have ensued, should this Bill have passed into a Law. For notwithstanding the Effects of this Law, might in all probability be in time lost; yet it is not unlikely, but it would have had some immediate Influence upon the Minds of Men. But before I enter into that, I must premise, That Government may be considered under Two Kinds; in one of which, the Legislature is intirely in a Single Person, as in all Absolute Monarchies; in the other, the People, or at least the Proprietors of the Soil, have a Part in it. To preserve the First, no Person can be safely admitted into any Places, or Offices of Trust, but such as are dependant on the Prince; and of consequence, Men of Interest and Estates are not ordinarily to be entrusted there: and therefore such Governments take Care to root out Great and Popular Families. In the other, no Person can safely be excluded the Government, that hath an Interest or Influence upon the People: For when such a Person is incapable of being entrusted in any Part of it, he can be no Friend to it: And having an Influence upon the People, he is in a Condition to disturb its Quiet: For in such Governments, it is only the Concord of the Members, that preserves the Peace; for being composed of an Aggregate of Men it is only one Common Interest, that can unite them to act as one Body: When that therefore is removed from any Part of this Body, that Member or Branch is lost: And that must happen, when one Part of this Body excludes the other from having any Share in directing the Welfare of the Whole. For in these Governments, each Member having a Legal Right to dispose of his own Fortunes, as he pleases; either the Party that is in the Government, must for their own Safety strip the other, (and so destroy the Constitution) of their Estates, or otherwise, the Oppressed will so employ them, as shall not be to the advantage of the Governours: For such Persons having no Interest in the Government (as being excluded) what is there that can incline them to bear much regard to it? If it should be urged, that Religion obliges them to Obedience, I shall not deny it, but then must answer, that the Question is not, What Men should do, but what they will do; and even Oaths have been experienced but Cobweb Securities, when other Ties are removed, as the several Changes in our Government abundantly prove. It may be objected against this, That the *Dutch*, altho' a flourishing People, yet exclude all Persons

out.

out of the Civil Power that are not of the National Religion : But then, if we consider the great Difference in the Constitution, between *England* and *Holland*, and the Nature of their Test, and to what Persons only it extends, we shall soon perceive, the same Inconveniencies cannot attend Them as Us ; for the Executive and Legislative Power, is with them in the same Hands ; and so no intestine Danger, by the help of One Party, to destroy the Constitution : Besides, no Man in *Holland*, is excluded the Civil Government that is actually in it, their Test being instituted at the peaceful Settlement of their Commonwealth ; and those Persons that are admitted into the Civil Magistracy, are neither chose by the People, nor named by a Prince, but are elected by those already in the Magistracy, to whom they are to be united, or to succeed ; and each Town being a sort of Sovereignty, the Persons chose into the Magistracy, are known to those who elect them ; and therefore it rarely happens, that a Person so chose, refuses to qualifie himself ; nay, in some of their Towns, this Law is not received ; neither is there any Mulct or Punishment upon any Person, that shall frequent any kind of separate Congregations, after he hath once taken it : Besides, the Advantages that attend the Civil Magistrate, are not great ; and all Religions are admitted into their Fleets and Armies : And not only this, but such is the Nature of their Test, that it relates more to Doctrinal Niceties than Religious Practices ; so that few Christians, that are not of the Church of *Rome*, are secluded by it ; which fully appears, in that the *Arminians* which unite with, or rather constitute what was called the *Lovesteen Party*, were so far from being excluded the Assembly of the State, that they were able to abrogate the very Office of Statholder, which the *Calvinists*, or those of the Established Church, laboured to support ; and altho' the Misfortunes in the late War, occasioned the Restitution of that Office, yet, since the Death of King *William* their Statholder, it is not again filled ; a pregnant Proof, that their Test hath not preserved the Civil Power in the Hands of such Persons, as it seems to have been contrived for : And yet, notwithstanding the small Efficacy of this Law, yet it hath been thought by some judicious Men, to be the weak Side of the State ; in that, by the means of this, Parties are kept divided, and Factions che rished, which have threatened their Ruine.

The People
have a Pro-
perty.

By our Constitution, the People by their Representatives, have a Part in the Legislature, and an undoubted Right of disposing of their Estates as they please. Can any rational Creature so forfeit his Judgment, as to believe, that the Party of Men that shall be excluded the Government, will ever be so far prevailed upon, as voluntarily

voluntarily to deliver up their Persons or Fortunes to the disposal of such, as will not entrust them in any Part of it? And the Persons to have been excluded by this Law, are not so inconsiderable in Numbers, or Estates, as to be despised; whereas, the Number of Papists excluded by the Test Act, comparatively speaking, are but inconsiderable; and our own Experience will teach us, the Papists, that are thus excluded, are not the heartiest Friends to our Government. It is true, the Legislature have an unbounded Power, and so may deal by their Persons or Purses at pleasure; but then by doing that, it makes Enemies in the very Bowels of the Commonwealth, and when once Concord is broke in such Constitutions, they soon run into Ruine. It is no easie matter to persuade Youth to kiss the Rod, and praise the Hand that punished them, altho^o their Crimes justly deserved the Scourge; but it must be much harder to convince Men, that it is their Safety and Interest, to love and assist those who have no Trust in them, but are for punishing them for Crimes which they only declare; our Religion enjoins us to forgive our Enemies, &c. but our Reason tells us, we cannot securely confide in those who despitefully use us. If the ready way to establish Peace at Home, is to make our Brethren our Enemies, then with parity of Reason, the easie Method of making War abroad, is to make our Enemies our Brethren; but sure, no Rhetorick can reconcile Contradictions. Had the *Romans* required such kind of Tests for Civil Trusts, or had they narrowed the Conditions for Strangers to be Citizens of *Rome*, that Empire had never gave Laws to the Universe; whereas we, by contrary Politicks, not only deny Strangers, but even exclude our own Members, and yet, by these Methods, propose to secure Peace at home, and to be enabled to carry on an Expensive War abroad.

All Laws are presumed to be made for the Good of the Community: The Reason for the Repealing or Altering Laws, is the Inconvenience that hath been experienced from their Use; the reason of New Laws, is some Mischiefs that have arose to the Community by the Want of such: The Papists, during the First Years of Queen *Elizabeth*, frequented our Worship, until the Pope considering, an Occasional Communion might in time bring them to a Constant one, thundered out his Excommunication against that Princess, and forbad his Sons to communicate with Hereticks; the Papists, by their Obedience to his Bulls, plainly owned, that they were more Subjects to a Foreign Potentate than to their Natural Queen, and therefore not to be entrusted in a Government to which they were not entire Subjects. Laws therefore were made, and Tests ordained

The End of
Laws.

for their Exclusion ; their Plots and Treasons produced severer Laws, for why should declared Enemies go unpunished ?

*The Reasons for
narrowing
Laws then
just.*

Upon the Fall and Misfortunes of *Charles* the First, the Government was got into the Hands of a Sett of Men, who had tyrannically treated the Friends and Favourers of that Prince, and trampled upon the Laws and Liberties of the whole People. Upon the Restoration of his Son, it was thought safe to exclude such Persons, and their Adherents, out of the new restored Government, in that they had entered into such Covenants and Engagements as were inconsistent with their being Members of it, and therefore not to be entrusted. But, the Behaviour of those to be excluded by this New Law, was not so Disloyal in the late Reign, as to require a Seclusion in this ; and therefore to punish where there appears no new Crime, seems to be a Proceeding somewhat severe. It is true, by the succeeding Measures in King *Charles* the Second's Reign, Dissenters were by Penalties deterred from celebrating their Religious Worship in the manner they delighted ; yet the Severities of *Charles* the Second, did not make so many Converts as the Indulgence or Toleration of King *William*.

*Factions
will join
to Religious
Sects.*

It is certain, Factions are a Misfortune to a State ; for when the People are divided, the Government must be weakned : And it is as certain, that State Factions will naturally unite with Religious Sects, where a People are divided into different ones : And it is as certain, that different Sects of Religion, may peaceably and quietly subsist under the same Civil Government, and be promiscuously admitted into the Magistracy, where State Factions do not interpose to divide them ; and it is likewise as certain, that an Unity in Religion will not prevent State Factions, where a Constitution is disposed for them. These things, I think, Reason will demonstrate, and Fact will fully evince ; because the real Differences in Religion, either relate to Doctrines or Worship ; that is, what Men should believe, or do, in relation to the Almighty ; neither of which, of themselves, relate to the Civil Magistrate, whose proper Province, is the Preservation of the Peace of the Community, and not the directing Men in their Religious Duties : For indeed, how does it concern him, or the Community, how I Worship God, if I make no Breach of my Duty towards him, by being obedient to his Laws ? Our Saviour having delegated no such Authority to him, to punish for Sins that no way relate to Society ; but hath given Laws that are common to him, and his Subjects, which, if he or they perform, he hath promised to reward them, but, if he or they neglect, he will punish them. The Laws indeed of *Mahomet*, permit, if not enjoin, the Persecuting and destroying such Persons

as

as will not believe in their Prophet, and submit to his Laws ; and so are to them Infidels : But the Laws of Christ give no such Authority ; He having declared *his Kingdom not to be in this World* ; and therefore hath not empowered the Civil Magistrate to do this for him : If therefore the Repose of a Nation suffers an Interruption by a difference in Religion, it arises, in that something is enjoined to be believed, or done, that Christ hath not expressly required ; for what he hath commanded, implies nothing that can disturb the Peace of Government.

We need not travel far, to confirm by Fact what hath been here offered, since *Germany, Holland, Poland*, and two of the Cantons of *Switzerland, &c.* nay, even our own Country, since the Toleration, will give us Instances of the Truth of what I have premised, *viz.* That differing Religious Sects, may peaceably subsist under the same Civil Government ; and the turbulent State of this Nation, before the Reformation, does abundantly prove, That an Unity in Religion does not prevent Factions in a Government, where the Constitution is beset for them.

Factions in a State are not easily extinguished, in that their Causes are usually formed in the very Constitution ; yet their Heats are often abated by Accidents, that no ways contributed to their Rise : Thus the apprehension of Danger, whether Foreign or Domestic, that threatens equal Destruction to them both, will unite them for common Defence ; but that removed, they usually return into their former Discords. Instances are not wanting to confirm this Truth ; in *Rome*, the Clashings between the Consular and Tribunitia Authority, were quieted by the Approach of a Foreign Enemy ; the Turbulencies in the *Grecian* Commonwealths would be composed from the same Reasons : Foreign Dangers and Domestic Fears have had the same Effect with us ; but these arising from such Accidents, are rarely of any long continuance.

Our Constitution seems in its very Nature, to be subject to Factionious Productions, in that the Power of Making, and Executing Laws, are not entirely in the same Persons ; for the first is in the Crown and Two Houses, but the last fully in the Crown ; the Executive Power is always in being, but the Legislative is convened as the Crown pleases : All Honours, Places, or Preferments, whether in Church, or State, are at the disposal of the Crown ; for which Reasons, when the Throne is filled with a Prince that thirsts after more Power than the Laws concede, the very Constitution supplies Opportunities, by the means of these Advantages, to form a Party that will be ready to assist him in the enlarging his Sovereignty. It was upon this footing, that King *James* the First began

*Constitution
incident to
Divisions.*

to

to divide the People, which Method was afterwards improved and practised by his Successors ; and being thus cherished by the Royal Influence, flourished so long, that it is not as yet worn out. It is true, the late Circumstances that attended the Revolution, and the Wise and Moderate Conduct of King *William*, who, led by his Inclinations as well as his Interest, laboured more to unite than to divide his Subjects, had skinned, but not cured our Divisions ; for he had so tempered the Minds of his People, by more regarding the Merits than the Party of those he employed, and by freely and openly consulting his Parliaments, that they gave him Sums for the Publick Use, that exceeded what had been known to former Ages ; both Parties agreeing to supply and support a Prince, that having no separate Ends of his own, steadily laboured to protect and defend both : But the rooting out Factions planted by a Royal Hand, and watered and cherished by so many successive Princes, is a Task that exceeds the Power of a short and single Reign : But the prudent Measures of our present most Gracious Sovereign, supplies us with lively Hopes, that She, if the Almighty prolongs Her Reign, will happily effect what her Predecessor had so wisely began, for She treading in that Great Hero's Steps, in advising with, and consulting Her People in all Her Measures ; so links their Affections to the Throne, that both Parties appear ready to serve Her with their Persons, and supply Her with their Purse ; and by graciously showing down Her Favours, where Virtue (not Party) recommends, She fully convinces Her People, that with equal care She rules them all, and that She hath no separate Ends to aggrandize Her Power, by only using one Party for the Oppression of the other.

F I N I S.

